

**Box No. VIII (iv) DECLARATION: INVENTORSHIP** (only for the purposes of the designation of the United States of America)  
*The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.*

**Declaration of inventorship (Rules 4.17(iv) and 51b1s.1(a)(iv))  
for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/..... (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications: .....

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: CLARKE, Raymond .....

Residence: Los Altos, California  
(city and either US state, if applicable, or country) .....

Mailing Address: 1394 Marinovich Way, Los Altos, CA 94024, United States of America .....

Citizenship: United States of America .....

Inventor's Signature: .....  
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)


Date: .....  
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name: TAFT, David D. ....

Residence: Atherton, California  
(city and either US state, if applicable, or country) .....

Mailing Address: 45 Melanie Lane, Atherton, CA 94027, United States of America .....

Citizenship: United States of America .....

Inventor's Signature:  .....  
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: July 20, 2005 .....  
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

☐ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

**Box No. VIII (iv) DECLARATION: INVENTORSHIP** (only for the purposes of the designation of the United States of America)  
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I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications: .....

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: CLARKE, Raymond .....

Residence: Los Altos, California  
(city and either US state, if applicable, or country) .....

Mailing Address: 1394 Marinovich Way, Los Altos, CA 94024, United States of America .....

Citizenship: United States of America .....

Inventor's Signature: *Raymond Clarke*  
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: July 11, 2005  
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name: TAFT, David D. ....

Residence: Atherton, California  
(city and either US state, if applicable, or country) .....

Mailing Address: 45 Melanie Lane, Atherton, CA 94027, United States of America .....

Citizenship: United States of America .....

Inventor's Signature: .....  
(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: .....  
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

☐ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

AUGUST 04, 2005

**\*500043366A\*****\*500043366A\***

PTAS  
JEFFREY G. SHELDON (DEBORAH GRAFE)  
225 S. LAKE AVENUE, 9TH FLOOR  
PASADENA, CA 91101

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES DIVISION, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 08/04/2005

REEL/FRAME: 016354/0541  
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

## ASSIGNOR:

TOMPKINS, NICHOLAS J.

DOC DATE: 07/13/2005

## ASSIGNOR:

BITLER, STEVEN P.

DOC DATE: 07/13/2005

## ASSIGNOR:

CLARKE, RAYMOND

DOC DATE: 07/13/2005

## ASSIGNOR:

TAFT, DAVID D.

DOC DATE: 07/26/2005

## ASSIGNEE:

APIO INC.

4575 W. MAIN ST.

GUADALUPE, CALIFORNIA 93434

016354/0541 PAGE 2

SERIAL NUMBER: 60532025  
PATENT NUMBER:  
TITLE: CONTAINER

FILING DATE: 12/22/2003  
ISSUE DATE:

SERIAL NUMBER:  
PATENT NUMBER:  
PCT NUMBER: US0442832  
TITLE: CONTAINERS

FILING DATE: 12/21/2004  
ISSUE DATE:

TARA WASHINGTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

## PATENT ASSIGNMENT

Electronic Version v1.1  
Stylesheet Version v1.1

08/04/2005  
500043366

SUBMISSION TYPE:	NEW ASSIGNMENT										
NATURE OF CONVEYANCE:	ASSIGNMENT										
CONVEYING PARTY DATA											
<table border="1"><thead><tr><th>Name</th><th>Execution Date</th></tr></thead><tbody><tr><td>Nicholas J. Tompkins</td><td>07/13/2005</td></tr><tr><td>Steven P. Bitler</td><td>07/13/2005</td></tr><tr><td>Raymond Clarke</td><td>07/13/2005</td></tr><tr><td>David D. Taft</td><td>07/26/2005</td></tr></tbody></table>		Name	Execution Date	Nicholas J. Tompkins	07/13/2005	Steven P. Bitler	07/13/2005	Raymond Clarke	07/13/2005	David D. Taft	07/26/2005
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Nicholas J. Tompkins	07/13/2005										
Steven P. Bitler	07/13/2005										
Raymond Clarke	07/13/2005										
David D. Taft	07/26/2005										
RECEIVING PARTY DATA											
<table border="1"><tr><td>Name:</td><td>Aplo Inc.</td></tr><tr><td>Street Address:</td><td>4575 W. Main St.</td></tr><tr><td>City:</td><td>Guadalupe</td></tr><tr><td>State/Country:</td><td>CALIFORNIA</td></tr><tr><td>Postal Code:</td><td>93434</td></tr></table>		Name:	Aplo Inc.	Street Address:	4575 W. Main St.	City:	Guadalupe	State/Country:	CALIFORNIA	Postal Code:	93434
Name:	Aplo Inc.										
Street Address:	4575 W. Main St.										
City:	Guadalupe										
State/Country:	CALIFORNIA										
Postal Code:	93434										
PROPERTY NUMBERS Total: 2											
<table border="1"><thead><tr><th>Property Type</th><th>Number</th></tr></thead><tbody><tr><td>Application Number:</td><td>60532025</td></tr><tr><td>PCT Number:</td><td>US0442832</td></tr></tbody></table>		Property Type	Number	Application Number:	60532025	PCT Number:	US0442832				
Property Type	Number										
Application Number:	60532025										
PCT Number:	US0442832										
CORRESPONDENCE DATA											
Fax Number: (626)795-6321 <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>											
Phone: 626-796-4000											
Email: deborahg@usip.com											
Correspondent Name: Jeffrey G. Sheldon (Deborah Grafe)											
Address Line 1: 225 S. Lake Avenue, 9th Floor											
Address Line 4: Pasadena, CALIFORNIA 91101											
NAME OF SUBMITTER:	Jeffrey G. Sheldon										
Total Attachments: 5 source=Assignment#page1.tif											

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source=Assignment#page4.tif  
source=Assignment#page5.tif



# Facsimile Transmission

*This company uses RightFAX® fax  
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From: Name: USPTO ASSIGNMENT DIVISION  
Fax Number:  
Voice Phone: 703-308-9723

To: Name: JEFFREY G. SHELDON (DEBORAH GRAFE)  
Company: 225 S. LAKE AVENUE, 9TH FLOOR  
Fax Number: 18267956321  
Voice Phone:

## Fax Notes:

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Pg#	Description
1	Cover Page
2	706.TXT
4	Document 1, Batch 507243

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Date and time of transmission: Friday, August 05, 2005 7:57:40 AM  
Number of pages including this cover sheet: 05

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**Box No. VIII (ii) DECLARATION: ENTITLEMENT TO APPLY FOR AND BE GRANTED A PATENT**

*The declaration must conform to the standardized wording provided for in Section 212; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (ii). If this Box is not used, this sheet should not be included in the request.*

Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:

in relation to this international application:

APIO INC. is entitled to apply for and to be granted a patent by virtue of the following:

an assignment from:

CLARKE, Raymond, 1394 Marinovich Way, Los Altos, California, United States of America

to APIO INC. dated 20 December 2004 (20/12/2004)

and

an assignment from:

CLARKE, Raymond, 1394 Marinovich Way, Los Altos, California, United States of America

to APIO INC. dated 13 July, 2005 (13/07/2005)

and

an assignment from:

TAFT, David D., 45 Melanie Lane, Atherton, California, United States of America

to APIO INC. dated 20 July, 2005 (20/07/2005) and

an assignment from:

LANDEC CORP. a corporation organized and existing under the laws of the State of California and having a place of business at 3603 Haven Avenue, Menlo Park, California, United States of America

to APIO INC. dated 13 July, 2005 (13/07/2005).

This declaration is made for the purposes of all designations, except for the designation of the United States or America.

☐ This declaration is continued on the following sheet, "Continuation of Box No. VIII (ii)".



**Box No. VIII (iii) DECLARATION: ENTITLEMENT TO CLAIM PRIORITY**

*The declaration must conform to the standardized wording provided for in Section 213; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iii). If this Box is not used, this sheet should not be included in the request.*

Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)):

in relation to this international application:

APIO INC. is entitled to claim priority of earlier application number

60/532,025

by virtue of the following:

an assignment from:

CLARKE, Raymond, 1394 Marinovich Way, Los Altos, California, United States of America

to APIO INC. dated 20 December 2004 (20/12/2004)

and

an assignment from:

CLARKE, Raymond, 1394 Marinovich Way, Los Altos, California, United States of America

to APIO INC. dated 13 July, 2005 (13/07/2005)

and

an assignment from:

TAFT, David D., 45 Melanie Lane, Atherton, California, United States of America

to APIO INC. dated 20 July, 2005 (20/07/2005) and

an assignment from:

LANDEC CORP. a corporation organized and existing under the laws of the State of California and having a place of business at 3603 Haven Avenue, Menlo Park, California, United States of America

to APIO INC. dated 13 July, 2005 (13/07/2005).

This declaration is made for the purposes of all designations, except for the designation of the United States or America.

☐ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iii)".